Docket No.: PF-0709 USN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lal et al.

Title: HUMAN TRANSPORT PROTEINS

Serial No.:	10/009,328	Filing Date:	December 4, 2001
Examiner:	Carlson, K.	Group Art Unit:	1653

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. 1.131

Sir:

The purpose of this declaration is to establish conception combined with diligence in this application in the United States at a date prior to the earliest public availability date (September 9, 1998) of the following prior art reference cited by the Examiner: Goddard et al., Pre-grant Pub US 2002/0192752).

The undersigned, Henry Yue and Mariah R. Baughn declare and state that:

1. We are the co-inventors of the invention claimed in U.S. Ser. No. 10/009,328, filed in the United States Patent and Trademark Office on December 4, 2001.

2. The invention, claimed at least in pending claims 1-11, 13, 15-17, 19, 22, 26, 27 and 231 of the above-identified application, was conceived prior to September 9, 1998, in this country.

3. U.S. Ser. No. 10/009,328 claims the benefit under 35 U.S.C. § 119(e) of U.S. Provisional Application No. 60/139,923, filed June 17, 1999, U.S. Provisional Application No. 60/148,177, filed August 10, 1999, U.S. Provisional Application No. 60/149,357, filed August 18, 1999, and U.S. Provisional Application No. 60/162,287, filed October 28, 1999. The SEQ ID NO:41 and 84 sequences recited in the U.S. Ser. No. 10/009,328 application claims was first disclosed in the U.S. Provisional Application No. 60/162,287 application and listed as SEQ ID NO:16 and 35 in the U.S. Provisional Application No. 60/162,287 application.

4. The invention was diligently reduced to practice from the conception of the invention to the filing of the above-identified application.

5. Exhibit A provides a log of activities related to the computer-assisted assembly and analysis of Incyte Clone 4797137. The log shows computer file pathways, dates, and user names pertaining to the assembly of the sequence of Incyte Clone 4797137. Exhibit A shows the initial entry of Incyte Clone 4797137 by inventor Henry Yue on July 15, 1998. (Please note that in this and subsequent Exhibits, technical and other information not relevant to this Declaration have been blocked out.) As disclosed in the pending application on page 78 (Table 1), , Incyte Clone 4797137 was used to generate the polynucleotide sequence of the claimed SEQ ID NO:84 and the polypeptide sequence of the claimed SEQ ID NO:41. These entries indicate that raw sequence data was created and processed on the dates of July 15, 1998 and July 18, 1998. It is standard business practice at Incyte for a clone of interest to be placed into a sequencing queue. Once sequence data is generated (e.g., in the form of chromatograms), the clone is placed into an "update" queue to await editing and assembly of the sequence data.

6. Exhibit B describes the entries of codes shown in Exhibit A. Therefore, Exhibits A and B show that conception of the present invention occurred prior to September 9, 1998. Following conception, the claimed invention was diligently reduced to practice, as detailed below.

7. Exhibit C provides a log of activities related to the computer-assisted assembly and analysis of Incyte Clone 4797137. These entries indicate that sequence data was processed, edited, and assembled on the dates of April 4, 1999, May 28, 1999, August 2, 1999, August 24, 1999, October 20, 1999.

8. Exhibit D shows a BLASTX analysis of the completed full-length sequence (4797137CT1), performed August 2, 1999. This demonstrates that the both the full length polynucleotide of SEQ ID NO:84 and the encoded polypeptide sequence of SEQ ID NO:41 were obtained by August 2, 1999. This exhibit, as well as Exhibit E, also shows the claimed sequence as having strong similarity with myelin protein zero. It is standard business practice at Incyte that completed sequences are accumulated and then submitted to Incyte's legal department for patenting.

9. Exhibit E shows a FASTX analysis of the completed full-length sequence (4797137CT1), performed August 2, 1999. FASTX compares a DNA sequence to a protein sequence databae.

10. Exhibit F provides a log of activities related to Attorney Docket Number PF-0748 P, *i.e.*, U.S. Provisional Application No. 60/162,287. Incyte Clone 4797137 is filed in PF-0748 P. The log shows that the application was created, processed and edited, and filed on the dates of August 8, 1999, October 15, 1999, October 22, 1999, October 26, 1999, October 27, 1999 and October 28, 1999. It is standard practice at Incyte that assignment of a docket number occurs concurrently with drafting and preparation of the application.

11. Exhibit G is a copy of a docket profile, created October 8, 1999 and last edited October 22, 1999, documenting the assignment of a docket number to the above-identified application in anticipation of filing.

12. Exhibit H is a copy of the Official Filing Receipt indicating that U.S. Provisional Application No. 60/162,287, was filed with the U.S.P.T.O. on October 28, 1999.

13. Exhibit I is a copy of the Official Filing Receipt indicating that U.S. Ser. No. 10/009,328 was filed with the U.S.P.T.O. on December 4, 2000 and claims the benefit under 35 U.S.C. § 119(e) of U.S. Provisional Application No. 60/162,287, filed October 28, 1999.

14. The above Exhibits demonstrate conception of the present invention prior to the critical date of September 9, 1998 Additionally, the above Exhibits show diligence in reducing the present invention to practice from prior to September 9, 1998, until the filing date of the above-identified application, i.e., the constructive reduction to practice on October 28, 1999.

12. The undersigned further declare that all statements made herein of their own knowledge are true, and that all statements made on information and belief are believed to be true, and that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine, imprisonment, and/or both under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of any application or patent issued thereon.

Date: Nov 15, 2003

Henry Yue

Date:_____

_____

Mariah R. Baughn

Docket No.: PF-0709 USN

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 20, 2004.

By: _____ Printed: Lisa McDill

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lal et al.

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Serial No.:	10/009,328	Filing Date:	December 4, 2001
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6. Exhibit B describes the entries of codes shown in Exhibit A. Therefore, Exhibits A and B show that conception of the present invention occurred prior to September 9, 1998. Following conception, the claimed invention was diligently reduced to practice, as detailed below.

7. Exhibit C provides a log of activities related to the computer-assisted assembly and analysis of Incyte Clone 4797137. These entries indicate that sequence data was processed, edited, and assembled on the dates of April 4, 1999, May 28, 1999, August 2, 1999, August 24, 1999, October 20, 1999.

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Date: _____

Henry Yue

Date: 11/15/2003

Mariah R. Baughn

```
4797137 - fl_seed_proj_1 on: Wed Jul 15 12:42:21 PDT 1998 By: hyue
4797137 - fl_update_CT_1 on: Sat Jul 18 07:49:10 PDT 1998 By: hyue
4797137 - fl_update_status_1 on: Sat Jul 18 07:50:57 PDT 1998 By: hyue
```

EXHIBIT A
Docket No.: PF-0709 USN
USSN: 10/009,328

1) fl_seed_proj_1 seeds (creates) an FL project directory from a single est sequence
2) fl_update_CT_1 updates the information files and the sequence files in the project
3) fl_update_status_1 updates the project status based on its level of completeness

4797137 - fl_update_CT_1 on: Sun Apr 4 08:06:00 PDT 1999 By: hyue
4797137 - fl_update_status_1 on: Sun Apr 4 08:07:39 PDT 1999 By: hyue
4797137 - fl_update_status_1 on: Sun Apr 4 08:08:36 PDT 1999 By: hyue
4797137 - fl_update_CT_1 on: Fri May 28 14:59:00 PDT 1999 By: hyue
4797137 - fl_update_status_1 on: Fri May 28 15:02:48 PDT 1999 By: hyue
4797137 - fl_update_status_1 on: Fri May 28 15:04:13 PDT 1999 By: hyue
4797137 is edited on: Mon Aug 2 00:00:00 PDT 1999 By: mbaughn
4797137 - fl_patent_ready on: Tue Aug 24 02:24:28 PDT 1999 By: mbaughn
4797137 - fl_reagent_1 on: Wed Oct 20 17:54:02 PDT 1999 By: ahe
4797137 - fl_reagent_1 on: Wed Oct 20 17:54:17 PDT 1999 By: ahe

4797137 is edited on: /08/02/99/ By: Mariah Baughn (mbaughn)

BLASTX 2.0a19MP-WashU [05-Feb-1998] [Build decunix4.0-a21164 01:45:58 05-Feb-1998]

Reference: Gish, Warren (1994-1997). unpublished.
Gish, Warren and David J. States (1993). Identification of protein coding regions by database similarity search. Nat. Genet. 3:266-72.

Notice: statistical significance is estimated under the assumption that the equivalent of one entire reading frame in the query sequence codes for protein and that significant alignments will involve only coding reading frames.

Query= 4797137CT1 Contig2
(970 letters)

Translating both strands of query sequence in all 6 reading frames

Database: genpept1
10 sequences; 2389 total letters.
Searching....10....20....30....40....50....60....70....80....90....100% done

Sequences producing High-scoring Segment Pairs:	Reading Frame	High Score	Smallest Sum Probability P(N)	N
g2160399 MPZ [Homo sapiens]	+3	268	5.6e-23	1
g469517 myelin protein zero [Homo sapiens]	+3	268	5.7e-23	1
g220074 major structural protein of myelin [Homo sapi...	+3	268	5.8e-23	1
g529405 myelin protein zero [Homo sapiens]	+3	268	5.8e-23	1
g200174 myelin [Mus musculus]	+3	262	2.5e-22	1

WARNING: Descriptions of 5 database sequences were not reported due to the limiting value of parameter V = 5.

>g2160399 MPZ [Homo sapiens]
Length = 258

Plus Strand HSPs:

Score = 268 (94.3 bits), Expect = 5.6e-23, P = 5.6e-23
Identities = 70/192 (36%), Positives = 101/192 (52%), Frame = +3

```
Query:    18 AAGSRGCALFPLLGVLFFQGVYI--VFSLEIRADAHVRGYVGEKIKLKCTFKSTSDVTDK 191
             A G+   +  P+L VL F  + +    ++ +  D  V G VG ++ L C+F S+  V+D
Sbjct:    12 APGAPSSSPSPILAVLLFSSLVLSPAQAIVVYTDREVHGAVGSRVTLHCSFWSSEWVSDD 71

Query:   192 LTIDWTYRPPSSSHTVSIFHYQSFQ-YPTTAGTFRDRISWVGNVYKGDASISISNPTIKD 368
             ++  W Y+P       +SIFHY   Q Y    GTF++RI WVG+    D SI I N    D
Sbjct:    72 ISFTWRYQPEGGRDAISIFHYAKGQPYIDEVGTFKERIQWVGDPRWKDGSIVIHNLDYSD 131

Query:   369 NGTFSCAVKNPPDVHHNIPMTELTVTERGFGTMLSSVALLSILVFVPSAVVVALLL---V 539
             NGTF+C VKNPPD+         L V E+   T    V L +++  V   V++ LL   V
```

```
Sbjct:   132 NGTFTCDVKNPPDIVGKTSQVTLYVFEK-VPTRYG-VVLGAVIGGVLGVVLLLLLLFYVV 189

Query:   540 RMG--RKAAGLKKR 575
            R    R+ A L++R
Sbjct:   190 RYCWLRRQAALQRR 203


>g469517 myelin protein zero [Homo sapiens]
         Length = 251

  Plus Strand HSPs:

 Score = 268 (94.3 bits), Expect = 5.7e-23, P = 5.7e-23
 Identities = 70/192 (36%), Positives = 101/192 (52%), Frame = +3

Query:    18 AAGSRGCALFPLLGVLFFQGVYI--VFSLEIRADAHVRGYVGEKIKLKCTFKSTSDVTDK 191
            A G+   +  P+L VL F  + +    ++ +  D  V G VG ++ L C+F S+  V+D
Sbjct:     2 APGAPSSSPSPILAVLLFSSLVLSPAQAIVVYTDREVHGAVGSRVTLHCSFWSSEWVSDD 61

Query:   192 LTIDWTYRPPSSSHTVSIFHYQSFQ-YPTTAGTFRDRISWVGNVYKGDASISISNPTIKD 368
            ++  W Y+P      +SIFHY   Q Y    GTF++RI WVG+    D SI I N    D
Sbjct:    62 ISFTWRYQPEGGRDAISIFHYAKGQPYIDEVGTFKERIQWVGDPRWKDGSIVIHNLDYSD 121

Query:   369 NGTFSCAVKNPPDVHHNIPMTELTVTERGFGTMLSSVALLSILVFVPSAVVVALLL---V 539
            NGTF+C VKNPPD+        L V E+   T    V L +++  V   V++ LLL   V
Sbjct:   122 NGTFTCDVKNPPDIVGKTSQVTLYVFEK-VPTRYG-VVLGAVIGGVLGVVLLLLLLFYVV 179

Query:   540 RMG--RKAAGLKKR 575
            R    R+ A L++R
Sbjct:   180 RYCWLRRQAALQRR 193


>g220074 major structural protein of myelin [Homo sapiens]
         Length = 248

  Plus Strand HSPs:

 Score = 268 (94.3 bits), Expect = 5.8e-23, P = 5.8e-23
 Identities = 70/192 (36%), Positives = 101/192 (52%), Frame = +3

Query:    18 AAGSRGCALFPLLGVLFFQGVYI--VFSLEIRADAHVRGYVGEKIKLKCTFKSTSDVTDK 191
            A G+   +  P+L VL F  + +    ++ +  D  V G VG ++ L C+F S+  V+D
Sbjct:     2 APGAPSSSPSPILAVLLFSSLVLSPAQAIVVYTDREVHGAVGSRVTLHCSFWSSEWVSDD 61

Query:   192 LTIDWTYRPPSSSHTVSIFHYQSFQ-YPTTAGTFRDRISWVGNVYKGDASISISNPTIKD 368
            ++  W Y+P      +SIFHY   Q Y    GTF++RI WVG+    D SI I N    D
Sbjct:    62 ISFTWRYQPEGGRDAISIFHYAKGQPYIDEVGTFKERIQWVGDPRWKDGSIVIHNLDYSD 121

Query:   369 NGTFSCAVKNPPDVHHNIPMTELTVTERGFGTMLSSVALLSILVFVPSAVVVALLL---V 539
            NGTF+C VKNPPD+        L V E+   T    V L +++  V   V++ LLL   V
Sbjct:   122 NGTFTCDVKNPPDIVGKTSQVTLYVFEK-VPTRYG-VVLGAVIGGVLGVVLLLLLLFYVV 179

Query:   540 RMG--RKAAGLKKR 575
            R    R+ A L++R
Sbjct:   180 RYCWLRRQAALQRR 193
```

```
>g529405 myelin protein zero [Homo sapiens]
          Length = 248

  Plus Strand HSPs:

 Score = 268 (94.3 bits), Expect = 5.8e-23, P = 5.8e-23
 Identities = 70/192 (36%), Positives = 101/192 (52%), Frame = +3

Query:    18 AAGSRGCALFPLLGVLFFQGVYI--VFSLEIRADAHVRGYVGEKIKLKCTFKSTSDVTDK 191
             A G+    +  P+L VL F  + +    ++ +  D  V G VG ++ L C+F S+  V+D
Sbjct:     2 APGAPSSSPSPILAVLLFSSLVLSPAQAIVVYTDREVHGAVGSRVTLHCSFWSSEWVSDD 61

Query:   192 LTIDWTYRPPSSSHTVSIFHYQSFQ-YPTTAGTFRDRISWVGNVYKGDASISISNPTIKD 368
             ++  W Y+P      +SIFHY  Q Y    GTF++RI WVG+    D SI I N    D
Sbjct:    62 ISFTWRYQPEGGRDAISIFHYAKGQPYIDEVGTFKERIQWVGDPRWKDGSIVIHNLDYSD 121

Query:   369 NGTFSCAVKNPPDVHHNIPMTELTVTERGFGTMLSSVALLSILVFVPSAVVVALLL---V 539
             NGTF+C VKNPPD+          L V E+   T    V L +++  V   V++ LLL   V
Sbjct:   122 NGTFTCDVKNPPDIVGKTSQVTLYVFEK-VPTRYG-VVLGAVIGGVLGVVLLLLLLFYVV 179

Query:   540 RMG--RKAAGLKKR 575
             R    R+ A L++R
Sbjct:   180 RYCWLRRQAALQRR 193


>g200174 myelin [Mus musculus]
          Length = 248

  Plus Strand HSPs:

 Score = 262 (92.2 bits), Expect = 2.5e-22, P = 2.5e-22
 Identities = 67/209 (32%), Positives = 107/209 (51%), Frame = +3

Query:    18 AAGSRGCALFPLLGVLFFQGVYI--VFSLEIRADAHVRGYVGEKIKLKCTFKSTSDVTDK 191
             A G+    +  P+L  L F  + +    ++ +  D  + G VG ++ L C+F S+  V+D
Sbjct:     2 APGAPSSSPSPILAALLFSSLVLSPALAIVVYTDREIYGAVGSQVTLHCSFWSSEWVSDD 61

Query:   192 LTIDWTYRPPSSSHTVSIFHYQSFQ-YPTTAGTFRDRISWVGNVYKGDASISISNPTIKD 368
             ++  W Y+P      +SIFHY  Q Y    G F++RI WVG+    D SI I N    D
Sbjct:    62 ISFTWRYQPEGGRDAISIFHYAKGQPYIDEVGAFKERIQWVGDPRWKDGSIVIHNLDYSD 121

Query:   369 NGTFSCAVKNPPDVHHNIPMTELTVTER---GFGTMLSSVALLSILVFVPSAVVVALLLV 539
             NGTF+C VKNPPD+          L V E+   +G +L +V  +  ++ V   +++   L+
Sbjct:   122 NGTFTCDVKNPPDIVGKTSQVTLYVFEKVPTRYGVVLGAV--IGGILGVVLLLLLLFYLI 179

Query:   540 RMG--RKAAGLKKR----SRSGYKKSSIEVS 614
             R    R+ A L++R      +  + KSS + S
Sbjct:   180 RYCWLRRQAALQRRLSAMEKGRFHKSSKDSS 210

WARNING:  HSPs involving 5 database sequences were not reported due to the
          limiting value of parameter B = 5.


Parameters:
```

S=80
B=5
V=5
Z=30000000

ctxfactor=5.99
E=7.67461

Query Frame	MatID	Matrix name	As Used Lambda	As Used K	As Used H	Computed Lambda	Computed K	Computed H
Std.	0	BLOSUM62				0.318	0.135	0.401
+3	0	BLOSUM62	0.318	0.135	0.401	0.327	0.139	0.435
		Q=9,R=2	0.244	0.0300	0.180	n/a	n/a	n/a
+2	0	BLOSUM62	0.318	0.135	0.401	0.345	0.154	0.594
		Q=9,R=2	0.244	0.0300	0.180	n/a	n/a	n/a
+1	0	BLOSUM62	0.318	0.135	0.401	0.353	0.153	0.551
		Q=9,R=2	0.244	0.0300	0.180	n/a	n/a	n/a
-1	0	BLOSUM62	0.318	0.135	0.401	0.342	0.147	0.490
		Q=9,R=2	0.244	0.0300	0.180	n/a	n/a	n/a
-2	0	BLOSUM62	0.318	0.135	0.401	0.343	0.149	0.539
		Q=9,R=2	0.244	0.0300	0.180	n/a	n/a	n/a
-3	0	BLOSUM62	0.318	0.135	0.401	0.347	0.152	0.520
		Q=9,R=2	0.244	0.0300	0.180	n/a	n/a	n/a

Query Frame	MatID	Length	Eff.Length	E	S	W	T	X	E2	S2
+3	0	322	322	1.3	80	3	12	22	0.11	36
								33	0.10	40
+2	0	323	323	1.3	80	3	12	22	0.11	36
								33	0.10	40
+1	0	323	323	1.3	80	3	12	22	0.11	36
								33	0.10	40
-1	0	323	323	1.3	80	3	12	22	0.11	36
								33	0.10	40
-2	0	323	323	1.3	80	3	12	22	0.11	36
								33	0.10	40
-3	0	322	322	1.3	80	3	12	22	0.11	36
								33	0.10	40

Statistics:

Database: ./genpept1
Title: genpept1
Release date: unknown
Posted date: 4:55 PM PDT Aug 2, 1999
Format: BLAST
# of letters in database: 2389 (Z = 30000000)
# of sequences in database: 10
# of database sequences satisfying E: 10
No. of states in DFA: 596 (117 KB)
Total size of DFA: 678 KB (704 KB)
Time to generate neighborhood: 0.01u 0.00s 0.01t Elapsed: 00:00:00
No. of threads or processors used: 10
Search cpu time: 0.08u 0.18s 0.26t Elapsed: 00:00:00
Total cpu time: 0.15u 0.31s 0.46t Elapsed: 00:00:00

Start: Mon Aug 2 16:55:38 1999 End: Mon Aug 2 16:55:38 1999

WARNINGS ISSUED: 2

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4797137 is edited on: /08/02/99/ By: Mariah Baughn (mbaughn)

 FASTX compares a DNA sequence to a protein sequence data bank
 version 3.0t82 November 1, 1997
Please cite:
 W.R. Pearson & D.J. Lipman PNAS (1988) 85:2444-2448

4797137.rep.28534: 970 aa
 >4797137CT1 Contig2
 vs  g2160399 library
searching g2160399 library

    258 residues in     1 sequences

FASTX (3.08 July, 1997) function (optimized, BL50 matrix) ktup: 2
 join: 39, opt: 27, gap-pen: -15/ -3 shift: -30, width:  16 reg.-scaled
 Scan time:  0.016
The best scores are:                                        initn init1 opt
g2160399 MPZ [Homo sapiens]                              ( 258)  175  175  347

>>g2160399 MPZ [Homo sapiens]                                   (258 aa)
 initn: 175 init1: 175 opt: 347
Smith-Waterman score: 347;  33.333% identity in 192 aa overlap

        26         56         86         116        146        176
479713 AAGSRGCALFPLLGVLFFQGVYI--VFSLEIRADAHVRGYVGEKIKLKCTFKSTSDVTDK
       : :. . .  :.:.::.:... .  . .. . .: .:.: :: .. :.:.: :.  :.:
g21603 APGAPSSSPSPILAVLLFSSLVLSPAQAIVVYTDREVHGAVGSRVTLHCSFWSSEWVSDD
              20         30         40         50         60         70

         206        236        266        296        326        356
479713 LTIDWTYRPPSSSHTVSIFHYQSFQ-YPTTAGTFRDRISWVGNVYKGDASISISNPTIKD
       ... : :.: ..  ..:::::. : : :   .:::..::.:::.    :.:: : :   .:
g21603 ISFTWRYQPEGGRDAISIFHYAKGQPYIDEVGTFKERIQWVGDPRWKDGSIVIHNLDYSD
              80         90        100        110        120        130

          386        416        446          476        506        536
479713 NGTFSCAVKNPPDVHHNIPMTELTVTER---GFGTMLSSVALLSILVFVPSAVVVALLLV
       :::::.: ::::::.  .  .. : : :.    .:..:..:    . : .   ..  ..
g21603 NGTFTCDVKNPPDIVGKTSQVTLYVFEKVPTRYGVVLGAVIGGVLGVVLLLLLLFYVVRY
              140        150        160        170        180        190

              566
479713 RMGRKAAGLKKR
          :. :.:..:
g21603 CWLRRQAALQRR
              200


970 residues in 1 query   sequences
258 residues in 1 library sequences
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 Scan time:  0.016 Display time:  0.067

Function used was  FASTX
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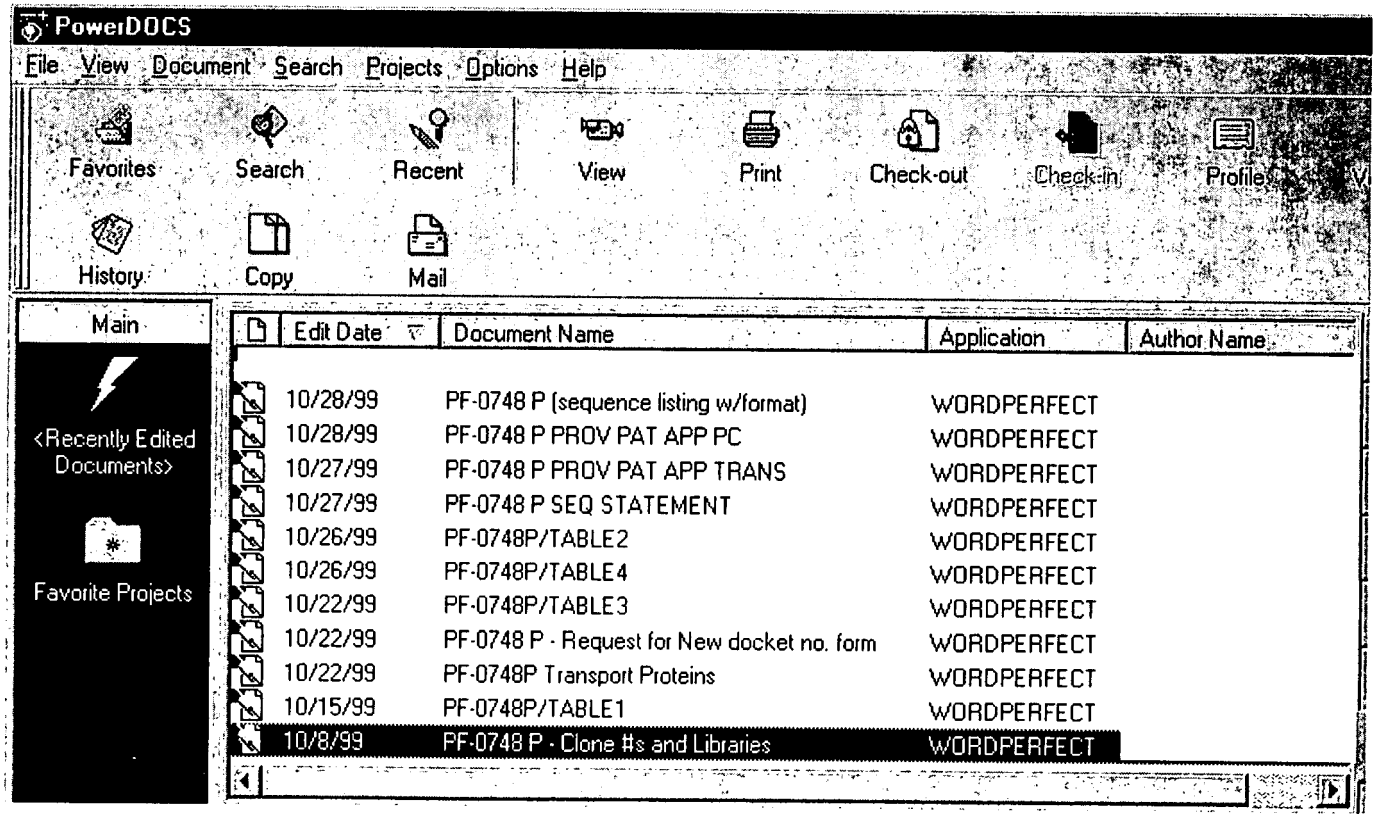
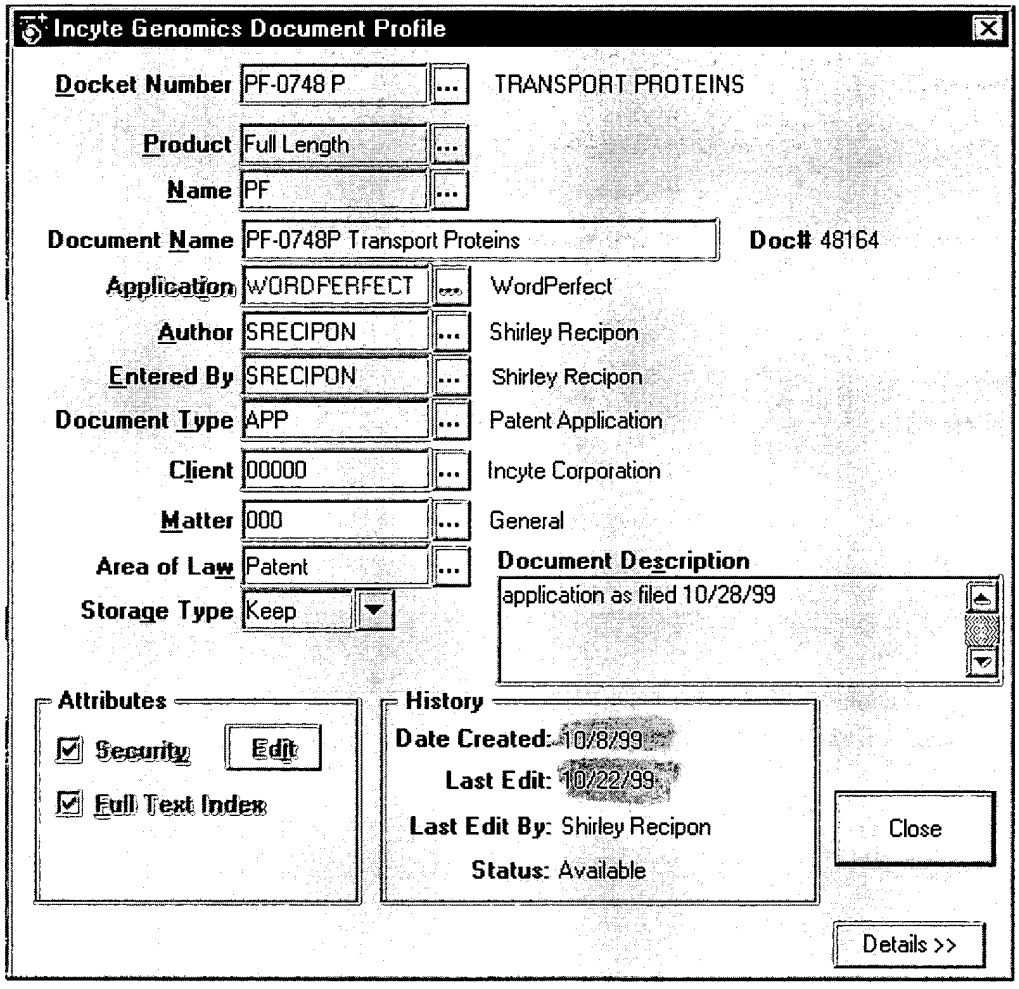


EXHIBIT F

Docket No.: PF-0709 USN
USSN: 10/009,328


Incyte Genomics Document Profile
Docket Number
PF-0748 P
TRANSPORT PROTEINS
Product
Full Length
Name
PF
Document Name
PF-0748P Transport Proteins
Doc# 48164
Application
WORDPERFECT
WordPerfect
Author
SRECIPON
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Entered By
SRECIPON
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Date Created: 10/8/99
Last Edit: 10/22/99
Last Edit By: Shirley Recipon
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PTO-103P
(Rev. 6-99) **PROVISIONAL APPLICATION FILING RECEIPT**

UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
60/162,287	10/28/99		$150.00	PF-0748-P	0		

INCYTE PHARMACEUTICALS INC
PATENT DEPARTMENT
3174 PORTER DRIVE
PALO ALTO CA 94304

EXHIBIT H
Docket No.: PF-0709 USN
USSN: 10/009,328

Receipt is acknowledged of this Provisional Application. This Provisional Application will not be examined for patentability. Be sure to provide the PROVISIONAL APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Provisional Application Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate). This Provisional Application will automatically be abandoned twelve (12) months after its filing date and will not be subject to revival to restore it to pending status beyond a date which is after twelve (12) months from its filing date.

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IF REQUIRED, FOREIGN FILING LICENSE GRANTED 11/17/99
TITLE
TRANSPORT PROTEINS

DATA ENTRY BY: TWIITY, MARSHA TEAM: 05 DATE: 11/17/99

(See reverse for new important information)

EXHIBIT I
Docket No.: PF-0709 USN
USSN: 10/009,328

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
Washington, DC 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/009,328	12/04/2001	1645	710	PF-0709 USN		19	2

CONFIRMATION NO. 6996

Incyte Genomics Inc
Legal Department
3160 Porter Drive
Palo Alto, CA 95304

FILING RECEIPT

OC000000008883650

Date Mailed: 10/02/2002

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

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D mestic Priority data as claimed by applicant

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Foreign Applicati ns

Pr jected Publication Date: None, application is not eligible for pre-grant publication